



US Army Corps  
of Engineers®

Nashville District

# Public Notice

Public Notice No. 07-63

Date: July 31, 2007

Application No. 2007-00727

Expiration: August 30, 2007

Please address all comments to:  
Nashville District Corps of Engineers, Regulatory Branch  
3701 Bell Road, Nashville, TN 37214

## JOINT PUBLIC NOTICE

US ARMY CORPS OF ENGINEERS  
AND  
TENNESSEE VALLEY AUTHORITY

**SUBJECT:** Proposed Fixed and Floating Community Dock and Riprap at Tennessee River Mile 536.1, Right Bank, Watts Bar Lake, Rhea County, Tennessee

**TO ALL CONCERNED:** The application described below has been submitted for a Department of the Army (DA) Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA)**. The proposed riprap meets the criteria of DA Nationwide Permit (NWP) #13 - Bank Stabilization, which became effective March 19, 2007.

**APPLICANT:** Tennessee Land  
and Development Company, G.P.  
Attn: Mr. Dennis Tumlin  
160 Summit Drive  
Dayton, Tennessee 37321

**LOCATION:** The Overlook Subdivision, Community Lot #13, Tennessee River Mile 536.1, Right Bank, Watts Bar Lake, Rhea County, Tennessee NAD 83 - Lat: 35.7019; Long: 84.7688, Spring City, TN USGS Quadrangle

**DESCRIPTION:** The applicant proposes to construct a fixed and floating community boat dock to provide convenient lake access and moorage for potential homeowners of The Overlook Subdivision Homeowners Association. The dock structure would be 36' wide x 196' long, with an 8' x 30' walkway. It would be stabilized by two 30' long metal beams attached to the shoreline. The dock would provide moorage for 13 private boats during the summer months. It would be constructed of steel, with wood decking and encased flotation. Riprap would extend 295' along the shoreline at this location.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both the protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments.

All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments may be used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments may also be used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal and state approvals may be required for the proposed work. Specifically, the Tennessee Valley Authority would require approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

The state of Tennessee, Department of Environment and Conservation (TDEC), Division of Water Pollution Control, must certify that applicable water quality standards will not be violated by the NWP #13 activity, pursuant to Section 401(a)(1) of the CWA. The applicant has been advised to contact TDEC directly for this and other approvals that may be required.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before the expiration date will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Ms. Deborah T. Tuck, at the above address, telephone (615) 369-7518. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. Please direct any questions relative to the TVA 26a permit to Mr. Gary Chappelle, Watts Bar-Clinch Watershed Team, 260 Interchange Park Drive, Lenoir City, Tennessee, telephone (865) 632-1322.

Detailed plans of the proposed work are available upon request. If you received this notice by mail and wish to view all of the diagrams, visit our web site at <http://www.lrn.usace.army.mil/cof/notices.htm>, or contact Ms. Tuck at the above address or phone number.

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TENNESSEE LAND & DEVELOPMENT CO., G.P.  
SPRING CITY, TN USGS QUADRANGLE



0 0.3 0.6 0.9 1.2 1.5 km

0 0.2 0.4 0.6 0.8 1 mi

35° 42' 07"N, 84° 46' 08"W (NAD27)

**Godsey Hollow, USGS Spring City (TN) Quadrangle**

Projection is UTM Zone 16 NAD83 Datum

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SPRING CITY, TN USGS QUADRANGLE

Ultima Holdings Watts Bar, LLC.  
270 Carpenter Drive  
Suite 200  
Atlanta, GA 30328  
(678)325-2000

PAUL AND SANDRA BARTIZAL  
1350 Sherwood Shores Drive  
Spring City, TN 37381

